REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on January 3, 2008. At the time the Examiner mailed the Office Action, claims 34-67 were pending. By way of the present response applicant has: 1) amended no claims; and 2) added no claims; and 3) canceled no claims. As such, claims 34-67 are now pending.

Reconsideration of this application is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 34-62 have been rejected under 35 U.S.C. § 102(e) based on U.S. Patent No. 6,697,862 of Beser, et al. ("Beser").

Regarding claim 34, the Examiner stated that Beser discloses "a method for using host configuration messages to maintain a network address table in a [cable modem] system." (Beser, col. 2, lines 65-67). The Examiner further cited Beser's description of maintaining said network address table by obtaining a network address from a received message and updating the table when necessary. (Office Action, page 2 quoting Beser, col. 3, lines 1-15).

Applicants respectfully disagree with the Examiner's assertion. Claim 34 reads as follows, "communicating information between Internet protocol (IP) hosts over a controller area network (CAN) bus within a vehicle by encapsulating an IP message in a CAN protocol message." (Claim 34, emphasis

added). Applicants respectfully submit that the Examiner has failed to demonstrate how, if at all, Beser anticipates claim 34.

CAN is a computer network protocol and bus standard designed to allow microcontrollers and devices to communicate with each other that was originally designed specifically for automotive applications (but is now also used in other areas, e.g. general automation environments). Utilizing a CAN bus, standardized communications can be exchanged between the many circuits and functions of a vehicle, e.g., shifting a transmission in response to engine load. Although Internet Protocol (IP) is a widely used network layer protocol, at the time the present application was filed, there was still a need for a method or apparatus to transmit IP datagrams over a CAN bus without interfering with the interaction of standard CAN devices. (Background of the Invention, page 4, lines 14-16). Claims 34-67 of the present application provide said method and apparatus.

In contrast, Beser describes protocols used in a cable modem and generally discusses the Open System Interconnection ("OSI") model's use in computer networks. (Beser, col. 6 lines 1-3). Although Beser does discuss the use of IP, it does not discuss it in the context of a CAN bus, much less a CAN bus within a vehicle. Furthermore, Beser does not discuss encapsulating an IP message in a CAN protocol message.

Accordingly, applicants respectfully submit that the Examiner's rejection of claim 34 under 35 U.S.C. § 102(e) as being anticipated by Beser has been overcome and request withdrawal of the rejection.

Similarly, all of applicants' other independent claims also include limitations that relate to encapsulating an IP message in a CAN protocol message which is transmitted over a CAN bus within a vehicle. Therefore, it is respectfully submitted that applicants' other independent claims, and all claims which depend upon them, are patentable over the cited art, at least for reasons similar to those discussed above.

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

Applicants respectfully submit that, in view of the arguments set forth herein, the applicable rejections have been overcome.

Pursuant to 37 C.F.R. 1.136(a)(3), applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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